

By: Harris

S.B. No. 1742

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the sale and possession of horsemeat and the sale of  
3 equine animals.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Sections 149.002 and 149.003, Agriculture Code,  
6 are amended to read as follows:

7 Sec. 149.002. SALE OR POSSESSION OF HORSEMEAT. A person  
8 commits an offense if:

9 (1) the person sells, offers for sale, or exhibits for  
10 sale horsemeat as food for human consumption in the United States;  
11 or

12 (2) the person possesses horsemeat with the intent to  
13 sell the horsemeat as food for human consumption in the United  
14 States.

15 Sec. 149.003. TRANSFER OF HORSEMEAT. A person commits an  
16 offense if the person:

17 (1) transfers horsemeat to a person who intends to  
18 sell the horsemeat, offer or exhibit it for sale, or possess it for  
19 sale as food for human consumption in the United States; and

20 (2) knows or in the exercise of reasonable discretion  
21 should know that the person receiving the horsemeat intends to sell  
22 the horsemeat, offer or exhibit it for sale, or possess it for sale  
23 as food for human consumption in the United States.

24 SECTION 2. Subchapter A, Chapter 146, Agriculture Code, is

1 amended by adding Section 146.009 to read as follows:

2 Sec. 146.009. SALE OF EQUINE ANIMAL; NOTICE REQUIRED. (a)

3 In this section:

4 (1) "Equine animal" has the meaning assigned by  
5 Section 161.149.

6 (2) "Livestock market" has the meaning assigned by  
7 Section 161.111.

8 (b) The owner or operator of a livestock market shall  
9 display in a prominent place in the livestock market a sign giving  
10 notice that an equine animal sold at the market may be bought for  
11 slaughter. The department by rule may prescribe the design or  
12 wording of the sign.

13 SECTION 3. Section 149.004, Agriculture Code, is repealed.

14 SECTION 4. (a) The change in law made by this Act applies  
15 only to an offense committed on or after the effective date of this  
16 Act. For purposes of this section, an offense was committed before  
17 the effective date of this Act if any element of the offense  
18 occurred before the effective date.

19 (b) An offense committed before the effective date of this  
20 Act is governed by the law in effect when the offense was committed,  
21 and the former law is continued in effect for that purpose.

22 SECTION 5. This Act takes effect September 1, 2007.